

Remarks

The numbered paragraphs of the office action are responded to through the corresponding numbered paragraphs below. The applicant has addressed each issue in turn and, for clarity, has provided a heading for each issue.

Continued Prosecution Application

1. The Examiner indicated that the previous request for Continued Prosecution Application (CPA) is acceptable and that a CPA has been established. The applicant appreciates the establishment of this prior CPA.

Claim Rejections - 35 U.S.C. § 112

2. The Examiner provided the citation to the second paragraph of 35 U.S.C. § 112. The applicant believes that no specific response to this paragraph is required.
3. The Examiner rejected claims 16 and 19 as being indefinite because they depend on a cancelled claim. The applicant has requested that claims 16 and 19 be amended to include the limitations of the cancelled claim on which they previously depended. The applicant believes that this requested amendment is fully responsive to the rejection of this paragraph and respectfully requests reconsideration and withdrawal of this rejection.

Claim Rejections - 35 U.S.C. § 103

4. The Examiner provided the citation to 35 U.S.C. § 103(a) which forms the bases for all obviousness rejections set forth in this Office action. The applicant believes that no specific response to this paragraph is required.
5. The Examiner rejected claims 13, and 15-20 under 35 U.S.C. § 103(a) as being unpatentable over Maier et al. in view of Szymaszek et al. The applicant has requested

that claim 13, on which claims 15-20 depend, be amended to more clearly point out that the plug head band of the present invention is made of a material capable of plastic deformation. The applicant has carefully reviewed the cited references and has concluded that not only do these references not teach the use of such plug head band material but they actually teach away from it, by using brittle non-deformable material, "being substantially free of plastic deformation." Materials described in applicants' original patent disclosure meet this criterion and therefore support this claim limitation. The applicant believes that the invention as described in the requested amendment to claim 13, incorporated in claims 15-20, is neither disclosed nor suggested by the cited or any other known references. The applicant believes that the requested amendment is fully responsive to the rejection of this paragraph. The applicant respectfully requests reconsideration and withdrawal of this rejection.

Response to Arguments

6. The Examiner indicated that the applicant's arguments filed previously have been considered but were not found by the Examiner to be persuasive. The applicant appreciates the Examiner's consideration. The applicant attempted to provide substantial technical material to demonstrate the applicant's assertion that the materials claimed by applicant are ductile and that the materials described in the references are brittle. The applicant also attempted to provide substantial material to show that it is accepted that Aluminum Titanate is a ceramic and that ceramics are by definition brittle. Despite the applicants' submission of substantial scientific literature, the Examiner dismissed the applicant's arguments. The applicant respectfully disagrees with the Examiner regarding this issue. Nevertheless, the applicant desires to move this case forward toward

allowance and has therefore requested that the claims be amended as previously described. The applicant appreciates the Examiner's consideration and position and respectfully requests further consideration of the claims as presently submitted.


Conclusion

7. The Examiner indicated that this action is made final. Applicant is filing this preliminary amendment within the extension period and has requested an extension of time with fee, with a Continued Prosecution Application.
8. The Examiner provided information concerning communication with the Examiner on this case. Applicant appreciates the Examiner's willingness to discuss this case and believes that no specific response is required for this paragraph.

The applicant has requested that claims 13, 16 and 19 be amended as previously described. The applicant believes that this response places the amended claims and all those claims which depend on amended claims in a condition for allowance.

In view of the foregoing, and in summary, Applicant believes that all issues and points of the Examiner's Office Action have been addressed and that all remaining claims, claims 13 and 15-20 are patentable over the prior art. Reconsideration and allowance of the application is respectfully requested.

Respectfully submitted this 11th day of August, 2001.



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